IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1968 OF 2005

Gaurang Vinod Doshi ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr.S.V. Marwadi, for the Applicant.

Mr.A.S. Gadkari, A.P.P., for the Respondent.

Mr.Sanjog S. Parab, for the Respondent Complainant.

...

CORAM : A.M.KHANWILKAR,J.

5th May 2005

P.C.:

. Counsel for the Applicant states that sincere effort was made before the Mediator, but that was not fruitful. Report of the Mediator has still not been received. Besides, during the pendency of this application, it appears that the wife of the Applicant has filed substantive

proceedings before the City Civil Court for reliefs stated therein. In other words, as at present, there is hardly any possibility of resolution of all the disputes through mediator. Indeed, Counsel appearing for the parties assure that parties will continue their efforts to resolve the controversy amicably. As that process may take some time and in this proceedings, I am required to only consider the prayer for anticipatory bail, in my opinion, it will be unnecessry to keep the present application pending for indefinite period. In the circumstances, as the Applicant has already complied with the conditions stated in order dated 4th April 2005 and which arrangement was suggested as per the agreement between the parties, the appropriate course is to dispose of the present anticipatory bail application on the following terms.

(A) The Applicant is granted anticipatory bail in connection with CR.No.48/2004 registered with Gamdevi Police Station on executing personal bond in the sum of Rs.25,000/- (Rupees Twenty five thousand

only) with two local sureties in the like amount.

(B) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(C) The Applicant shall co-operate for the purpose of investigation of the case as and when called upon.

(D) The Applicant shall not travel abroad without prior intimation to the concerned police sttion.

(E) This order will enure in favour of the Applicant till the filing of the charge sheet.

. It is made clear that the amount already deposited by the Applicant in terms of order dated 4th April 2005 will have to abide by further orders to be passed by the appropriate Court in Criminal/Matrimonial/Civil proceedings

between the parties. Assurance given by the First Informant, as well as her father, before this Court as noted in order dated 4th April 2005 that the amount will be brought back or redeposited in Court, if such direction is passed by any Court of competent jurisdiction in proceedings betwen the parties, the First Informant through her Counsel assures that she will abide by the said undertaking given to this Court.

. Even the arrangement directed to provide visiting rights as stated in order dated 4th April 2005 will bind the parties till such other or appropriate orders to be passed by the Court of competent jurisdiction in that behalf.

(A.M.KHANWILKAR,J.)